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**From:** Nagrani, Kavita [Nagrani.Kavita@epa.gov]  
**Sent:** 7/17/2020 12:13:56 PM  
**To:** Hicks, Matt [Hicks.Matthew@epa.gov]; Gettle, Jeaneanne [Gettle.Jeaneanne@epa.gov]; Armor, Suzanne [Armor.Suzanne@epa.gov]; McGill, Thomas [Mcgill.Thomas@epa.gov]; Calli, Rosemary [Calli.Rosemary@epa.gov]; Laycock, Kelly [Laycock.Kelly@epa.gov]; Palmer, Leif [Palmer.Leif@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]; Jaikaran, Bianca [Jaikaran.Bianca@epa.gov]; Siegal, Tod [Siegal.Tod@epa.gov]  
**Subject:** RE: Seminole Tribe of Florida & 404 Assumption MOAs

I like Suzanne and Jeaneanne's edits – nothing further from me. Looks good!

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**From:** Hicks, Matt <Hicks.Matthew@epa.gov>  
**Sent:** Friday, July 17, 2020 7:38 AM  
**To:** Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Armor, Suzanne <Armor.Suzanne@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Jaikaran, Bianca <Jaikaran.Bianca@epa.gov>; Siegal, Tod <Siegal.Tod@epa.gov>  
**Subject:** RE: Seminole Tribe of Florida & 404 Assumption MOAs

Thanks Jeaneanne for your edits. Anyone else?

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**From:** Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>  
**Sent:** Friday, July 17, 2020 7:28 AM  
**To:** Hicks, Matt <Hicks.Matthew@epa.gov>; Armor, Suzanne <Armor.Suzanne@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Jaikaran, Bianca <Jaikaran.Bianca@epa.gov>; Siegal, Tod <Siegal.Tod@epa.gov>  
**Subject:** RE: Seminole Tribe of Florida & 404 Assumption MOAs

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**From:** Hicks, Matt <Hicks.Matthew@epa.gov>  
**Sent:** Friday, July 17, 2020 7:20 AM  
**To:** Armor, Suzanne <Armor.Suzanne@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Jaikaran, Bianca <Jaikaran.Bianca@epa.gov>; Siegal, Tod <Siegal.Tod@epa.gov>  
**Subject:** RE: Seminole Tribe of Florida & 404 Assumption MOAs

Thanks Suzanne. Thanks Mita for your response as well. Does anyone else have changes?

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**From:** Armor, Suzanne <Armor.Suzanne@epa.gov>  
**Sent:** Friday, July 17, 2020 7:09 AM  
**To:** Hicks, Matt <Hicks.Matthew@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Jaikaran, Bianca <Jaikaran.Bianca@epa.gov>; Siegal, Tod <Siegal.Tod@epa.gov>  
**Subject:** RE: Seminole Tribe of Florida & 404 Assumption MOAs

Just one suggested edit below. Otherwise, looks good to me.

Thanks.

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**From:** Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>

**Sent:** Thursday, July 16, 2020 7:12 PM

**To:** Gettle, Jeaneanne <[Gettle.Jeaneanne@epa.gov](mailto:Gettle.Jeaneanne@epa.gov)>; McGill, Thomas <[Mcgill.Thomas@epa.gov](mailto:Mcgill.Thomas@epa.gov)>; Calli, Rosemary <[Calli.Rosemary@epa.gov](mailto:Calli.Rosemary@epa.gov)>; Laycock, Kelly <[Laycock.Kelly@epa.gov](mailto:Laycock.Kelly@epa.gov)>; Palmer, Leif <[Palmer.Leif@epa.gov](mailto:Palmer.Leif@epa.gov)>; Ghosh, Mita <[Ghosh.Mita@epa.gov](mailto:Ghosh.Mita@epa.gov)>; Armor, Suzanne <[Armor.Suzanne@epa.gov](mailto:Armor.Suzanne@epa.gov)>; Nagrani, Kavita <[Nagrani.Kavita@epa.gov](mailto:Nagrani.Kavita@epa.gov)>; Jaikaran, Bianca <[Jaikaran.Bianca@epa.gov](mailto:Jaikaran.Bianca@epa.gov)>; Siegal, Tod <[Siegal.Tod@epa.gov](mailto:Siegal.Tod@epa.gov)>

**Subject:** FW: Seminole Tribe of Florida & 404 Assumption MOAs

Thanks for the discussion this afternoon about how best to respond to the recent email from counsel for the Seminole Tribe. What does everyone think about the following response?

## Ex. 5 Deliberative Process (DP)

Thank you,

Matt

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**From:** Rachael Santana <[rsantana@llw-law.com](mailto:rsantana@llw-law.com)>

**Sent:** Friday, July 10, 2020 4:55 PM

**To:** Hicks, Matt <[Hicks.Matthew@epa.gov](mailto:Hicks.Matthew@epa.gov)>; Armor, Suzanne <[Armor.Suzanne@epa.gov](mailto:Armor.Suzanne@epa.gov)>; Siegal, Tod <[Siegal.Tod@epa.gov](mailto:Siegal.Tod@epa.gov)>

**Cc:** Michelle Diffenderfer <[mdiffenderfer@llw-law.com](mailto:mdiffenderfer@llw-law.com)>

**Subject:** Seminole Tribe of Florida & 404 Assumption MOAs

Good afternoon Matt, Suzanne, and Tod,

We were informed by Stephanie Gray at the Florida Department of Environmental Protection that EPA has finalized that Memorandum of Agreement for the 404 Program application and it is being routed for signature. We understand that the Seminole Tribe's proposed language as to the dispute resolution process will not be included but that the full definition of 18 U.S.C. 1151 as well as a sentence about Trust lands will be included. We were hoping to set up a time to hear from you how that new language will work/what the process will be in the event of a dispute. Please let me know when you are available for a call next week to discuss.

Thank you and have a nice weekend.

Regards,

**Rachael B. Santana** | Attorney

515 North Flagler Drive, Suite 1500 | West Palm Beach, Florida 33401

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